

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CANADIAN NATIONAL RAILWAY
COMPANY,

Plaintiff,

vs.

McLANE FOODSERVICE, INC. dba
VANTIX LOGISTICS, and PEPSI
COLA CANADA BEVERAGES,

Defendants

Docket No. 07 Civ. 8226 (KMK)

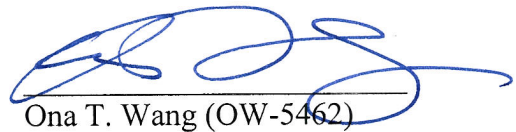
ANSWER

Defendant McLane Foodservice Inc., dba Vantix Logistics, (“Vantix”) by and through its attorneys, Baker & Hostetler LLP, as and for its Answer to the Complaint (the “Complaint”), dated September 10, 2007, responds as follows:

1. Vantix admits the averments contained in paragraph 1 of the Complaint.
2. Vantix denies knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 2 of the Complaint.
3. Vantix denies knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 3 of the Complaint.
4. Vantix admits that it is wholly owned by McLane Company, Inc. and is involved in freight transportation with a corporate headquarters at 2085 Midway Road, Carrollton, Texas 75006. Vantix denies the remainder of the allegations set forth in paragraph 4 of the Complaint.
5. Vantix denies knowledge or information sufficient to form a belief as to the truth of the averments contained in paragraph 5 of the Complaint.

6. Vantix denies the allegations set forth in paragraph 6 of the Complaint.
7. Vantix denies the allegations set forth in paragraph 7 of the Complaint.
8. Vantix denies the allegations set forth in paragraph 8 of the Complaint.
9. Vantix denies the allegations set forth in paragraph 9 of the Complaint.

By:



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Dated: December 21, 2007
New York, New York

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 2007, a copy of the foregoing Answer, Notice of Appearance, and Rule 7.1 Statement was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and by regular U.S. Mail on the following counsel:

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Theresa Blaber
Paralegal